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## FACSIMILE TRANSMITTAL SHEET

TO:	Art Unit 3739 Examiner Peffley	FROM:	M. Robert Kestenbaum
COMPANY:	Commissioner for Patents	DATE:	April 7, 2005
FAX NUMBER:	(703) 872 9306	TOTAL NO. OF PAGES INCLUDING COVER:	3
PHONE NUMBER:	(703) 308-4305	SENDER'S REFERENCE NUMBER:	(H)02MUN0018USP
RE:	RCE	YOUR REFERENCE NUMBER:	10/049,934

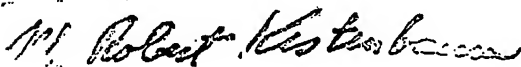
## NOTES/COMMENTS:

Dear Examiner Peffley:

I am faxing an RCE in response to the Office Action mailed October 25, 2005 and the Advisory Action with the necessary fee. Further, an additional two-month extension of time in which to respond to the outstanding Office Action is hereby requested. PTO-2038 is enclosed authorizing credit card payment in the amount of \$845 is enclosed for the prescribed Small Entity RCE fee of \$395 and \$450 for the prescribed Small Entity three-month extension fee, less the first month of \$60 paid with the Amendment after Final Action submission on February 25, 2005.

Thank you in advance for your attention to this matter.

Sincerely,

M. Robert Kestenbaum  
Reg. No. 20,430

04/08/2005 BROOKER 00000015 10049934 ✓

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PTO/SB/30 (08-03)

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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/049,934
Filing Date	08/07/2002
First Named Inventor	Muntermann
Art Unit	3739
Examiner Name	Michael F. Pfeiffer
Attorney Docket Number	(H)02MUN0018USP

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This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - ☒ Other Amendment after Final Action filed 2/25/2005
  - ☐ Enclosed
    - ☐ Amendment/Reply
    - ☐ Affidavit(s)/Declaration(s)
    - ☐ Information Disclosure Statement (IDS)
    - ☐ Other \_\_\_\_\_
- Miscellaneous**
  - ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
  - ☐ Other \_\_\_\_\_
- Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
  - ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_
    - ☐ RCE fee required under 37 CFR 1.17(e)
    - ☐ Extension of time fee (37 CFR 1.136 and 1.17)
    - ☐ Other \_\_\_\_\_
  - ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
  - ☒ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	M. Robert Kestenbaum	Registration No. (Attorney/Agent)	20,430
Signature	<i>M. Robert Kestenbaum</i>	Date	April 7, 2005

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	M. Robert Kestenbaum	Date	April 7, 2005
Signature	<i>M. Robert Kestenbaum</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.